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IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CALIFORNIA COALITION FOR WOMEN
 PRISONERS, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA FEDERAL
 BUREAU OF PRISONS, et al.,

Defendants.

Case No. 4:23-CV-04155-YGR

**PLAINTIFFS' CONDITIONAL
 STATEMENT OF NON-OPPOSITION
 TO THE PROPOSED
 INTERVENORS' MOTION TO
 UNSEAL (ECF NO. 317)**

1 Pursuant to the Court’s Order directing Class Counsel to respond to the Proposed
2 Intervenor’s Motion To Unseal (ECF No. 317, the “Motion”) “insofar as it concerns information
3 relative to their clients” (ECF No. 354 at 3), Plaintiffs’ hereby provide a conditional statement of
4 non-opposition to the Proposed Intervenor’s Motion.

5 Given the extremely sensitive subject matter in this proceeding—rape and sexual
6 assault—Plaintiffs’ respectfully request that any Class Member personally identifiable
7 information (“PII”) contained in the sealed docket entries subject to the Motion be redacted
8 before they are unsealed. This is consistent with Plaintiffs’ granted request to proceed
9 anonymously in this proceeding (ECF Nos. 6 and 17) and the practice of the Circuit. *Jordan v.*
10 *Gardner*, 986 F.2d 1521, 1525 n.4 (9th Cir. 1990) (“In keeping with the tradition of not revealing
11 names of the victims of sexual assault, we use initials here to protect the privacy of the
12 inmates.”).

13 The Proposed Intervenor’s do not oppose Plaintiffs’ request that Class Member PII be
14 redacted from the public docket. *See* ECF Nos. 340 at 8 (“Proposed Intervenor’s have made clear
15 that they do not seek the unsealing of records containing sensitive or private information about
16 incarcerated people.”); 351-1 at 2 (“Intervenor’s do not seek to unseal medical records.”), 7
17 (same), 14 (“Intervenor’s do not challenge the sealing” of “the names of witnesses who were
18 otherwise identified by initials.”), 15 (same).

19 Subject to this condition that Class Member PII remain under seal via narrowly tailored
20 redactions, Plaintiffs’ do not oppose the Proposed Intervenor’s Motion, and indeed have opposed
21 the majority of Defendants’ sealing and *in camera* requests on the same grounds that Proposed
22 Intervenor’s now challenge them. *See, e.g.*, ECF Nos. 47, 194, 203, 237, 245, 259, 337.

23 Defendants’ and the Proposed Intervenor’s Joint Notice at ECF No. 351 states that they
24 dispute whether the following docket entries should be unsealed: ECF Nos. 45-4, 45-5, 159-3,
25 172-2, 176-3, 176-4, 176-5, 184-3, 184-4, 184-5, 197-3, 197-6, and 206-3. Plaintiffs’ do not
26 oppose these docket entries being unsealed, with the following narrowly tailored exceptions:
27
28

- ECF No. 176-4: the full name and Register Number of R.F. should remain redacted; specifically page 2 line 5.
- ECF No. 176-5: the Register Numbers of C.B. and R.F. should remain redacted; specifically page 2 lines 14 and 17.
- ECF No. 184-4: the full name and Register Number of R.F. should remain redacted; specifically page 2 line 5.
- ECF No. 184-5: the Register Numbers of C.B. and R.F. should remain redacted; specifically page 2 lines 14 and 17.
- ECF No. 197-3: the full name of A.Y. should remain redacted; specifically page 2 line 16, page 4 lines 9-10, 23-24 and 25-27, and page 5 lines 3-4, 6-8.
- ECF No. 197-6: the full name and Register Number of A.Y. should remain redacted; specifically page 3 line 22.
- ECF No. 206-3: the full name and Register Number of A.Y. should remain redacted; specifically page 2 lines 10-11, 19, and 26.

Class counsel agrees to work with Defendants and the Proposed Intervenors to apply any redactions necessary to protect Class Member PII.

Dated: July 30, 2024

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/ Carson D. Anderson
Carson D. Anderson

Attorneys for Plaintiffs